

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



Leroy D. Baca, Sheriff

July 19, 2013

Deputy Christopher Wargo, #[redacted]
[redacted]

Dear Deputy Wargo:

You are hereby notified that it is the intention of the Sheriff's Department to discharge you from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective the close of business August 9, 2013.

An investigation under IAB File Number IV2323204 and IV2318590, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

IAB File Number 2318590

1. That in violation of Manual of Policy and Procedures Section(s) 3-01/030.10, Obedience to Laws, Regulations, and Orders [as it pertains to 23152 (a) C.V.C., Driving Under the Influence of Alcohol or Drugs, and/or 23152 (b) C.V.C., Driving Under the Influence of Alcohol or Drugs blood alcohol concentration .08% or greater, and/or 23578 C.V.C. blood alcohol concentration over .15%]; and/or 3-01/025.45, Safety of Firearms; and/or 3-01/030.05, General Behavior; on or about August 10, 2012, while off duty, you drove your personal vehicle while under the influence of alcohol and collided with two parked vehicles. California Highway Patrol personnel responded to the scene and observed that you displayed symptoms of being under the influence of alcohol. California Highway Patrol personnel administered field sobriety tests to which you performed poorly. You submitted to breath tests using a preliminary alcohol screening device which resulted in a reading of .183% and .184% blood

alcohol concentration. You were subsequently arrested, booked at the East Los Angeles Highway Patrol Station, and allowed to provide a breath sample using a breathalyzer. Your breath sample registered .20% and .19% blood alcohol concentration. You admitted you drank alcoholic beverages including beer and tequila until you blacked out. You drank prior to driving your vehicle. You stated your weapon was in your car, but you did not know where. It is presumed that due to the amount of alcohol concentrated in your blood, .20% blood alcohol concentration, you were unable to exercise reasonable care, and/or control of a firearm. You pled nolo contendere in Alhambra Superior Court on December 5, 2012, to 23152 (b) Driving Under the Influence of Alcohol or Drugs blood alcohol concentration .08% or higher. You were placed on summary probation for three years, ordered to pay fines and restitution, assigned 13 days of community service, and ordered to attend alcohol education courses. You failed to adhere to the Core Values of the Department as you failed to apply wisdom and use common sense when you willfully drove your vehicle while intoxicated; and/or conducted yourself in a manner which caused undue embarrassment to, and/or damaged the reputation of the Department; and/or brought discredit to yourself and/or the Department.

IAB File Number 2323204

1. That in violation of Manual of Policy and Procedures Section(s) 3-01/050.50, Absence; and/or 3-01/100.35, False Information in Records; and/or 3-01/000.13, Professional Conduct; on or about August 9, 2013 through August 10, 2013, you failed to assume the responsibilities of your position when you were absent without leave and failed to make a timely notification to your supervisor. Your conduct was not consistent with the Core values of the Department as you drove a vehicle while intoxicated, creating a hazard to yourself and the public. You failed to exercise integrity and notify your supervisors of your absence instead of willfully seeking help from Deputy Ramon Gamez to log you onto the Mobile Digital Terminal, effectively aiding in creating a false official record; and/or potentially jeopardizing the safety and welfare of the public.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet which are incorporated herein by reference.

You may respond to the intended action orally or in writing. In the event that you choose to respond orally to these charges, you have already been scheduled to meet with Chief Kevin Goran, on August 9, 2013, at 1100 hours, in his office, which is located at 4700 Ramona Boulevard, Monterey Park, California 91754. If you are unable to appear at the scheduled time and wish to schedule some other time prior to August 9, 2013, for your oral response, please call Chief Goran's secretary at [redacted], for an appointment.

If you choose to respond in writing, please call Chief Goran's secretary to cancel your scheduled appointment, and send your response to the facts contained in this letter to Chief Goran's office by no later than August 9, 2013.

Unless you are currently on some other type of authorized leave, pursuant to Rule 16.01 of the Los Angeles County Civil Service Commission Rules, effective immediately, you are on paid administrative leave which will continue during the fifteen (15) business days you have to respond to the intended discharge or until the conclusion of your pre-disciplinary hearing. If you are presently on an authorized leave, that leave will continue during the fifteen (15) business days you have to respond to the intended discharge, or until the conclusion of your pre-disciplinary hearing.

Failure to respond to this Letter of Intent within fifteen (15) business days will be considered a waiver of your right to respond and will result in the imposition of the discipline indicated herein.

If you did not receive the investigative material on which your discipline is based at the time you were served with this correspondence, you may contact the Internal Affairs Bureau at [redacted], to obtain a copy of the case file.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Alicia E. Ault, Captain
Internal Affairs Bureau

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

AEA:PMP:cj

c: Advocacy Unit
Employee Relations Unit
Chief Kevin Goran, Central Patrol Division
Internal Affairs Bureau
Office of Independent Review (OIR)
(File #2323204 and #2318590)

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COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service Since 1850

DATE: July 16, 2013

OFFICE CORRESPONDENCE FILE NO. IAB IV# 2323204
IAB IV# 2318590

FROM: KEVIN A. GORAN, CHIEF
CENTRAL PATROL DIVISION

TO: ALICIA E. AULT, CAPTAIN
INTERNAL AFFAIRS BUREAU
INTERNAL INVESTIGATIONS DIVISION

SUBJECT: **CHRISTOPHER J. WARGO, #[redacted]**
DEPUTY SHERIFF
EAST LOS ANGELES STATION
CENTRAL PATROL DIVISION

Upon consideration of the facts developed in investigations IV# 2323204 and IV# 2318590, I have determined that Subject Christopher J. Wargo shall be discharged from his position as a deputy sheriff for the reasons set forth in the attached documentation. This decision may be reconsidered based upon the employee's response.

KEVIN A. GORAN, CHIEF

7-16-13
Date

CASE REVIEWED BY:

Warren R. Asmus Commander	Stephen B. Johnson Commander	Ray Leyva Commander
7-16-2013 Date	7/16/13 Date	7-16-13 Date

The evidence in this investigation supports the following charges:

IAB FILE NUMBER 2318590

1. That in violation of Manual of Policy and Procedures Section(s) 3-01/030.10, Obedience to Laws, Regulations, and Orders [as it pertains to 23152 (a) C.V.C., Driving Under the Influence of Alcohol or Drugs, and/or 23152 (b) C.V.C., Driving Under the Influence of Alcohol or Drugs blood alcohol concentration .08% or greater, and/or 23578 C.V.C. blood alcohol concentration over .15%]; and/or 3-01/025.45, Safety of Firearms; and/or 3-01/030.05, General Behavior; on or about August 10, 2012, while off duty, Subject Wargo drove his personal vehicle while under the influence of alcohol and collided with two parked vehicles. California Highway Patrol personnel responded to the scene and observed that Subject Wargo displayed symptoms of being under the influence of alcohol. California Highway Patrol personnel administered field sobriety tests to which Subject Wargo performed poorly. Subject Wargo submitted to breathe tests using a preliminary alcohol screening device which resulted in a reading of .183% and .184% blood alcohol concentration. Subject Wargo was subsequently arrested, booked at the East Los Angeles Highway Patrol Station, and allowed to provide a breathe sample using a breathalyzer. Subject Wargo's breathe sample registered .20% and .19% blood alcohol concentration. Subject Wargo admitted he drank alcoholic beverages including beer and tequila until he blacked out. He drank prior to driving his vehicle. Subject Wargo stated his weapon was in his car, but he did not know where. It is presumed that due to the amount of alcohol concentrated in Subject Wargo's blood, .20% blood alcohol concentration, he was unable to exercise reasonable care, and/or control of a firearm. Subject Wargo pled nolo contendere in Alhambra Superior Court on December 5, 2012, to 23152 (b) Driving Under the Influence of Alcohol or Drugs blood alcohol concentration .08% or higher. He was placed on summary probation for three years, ordered to pay fines and restitution, assigned 13 days of community service, and ordered to attend alcohol education courses. Subject Wargo failed to adhere to the Core Values of the Department as he failed to apply wisdom and use common sense when he willfully drove his vehicle while intoxicated; and/or conducted himself in a manner which caused undue embarrassment to, and/or damaged the reputation of the Department; and/or brought discredit to himself and/or the Department.

IAB FILE NUMBER 2323204

1. That in violation of Manual of Policy and Procedures Section(s) 3-01/050.50,

Absence; and/or 3-01/100.35, False Information in Records; and/or 3-01/000.13, Professional Conduct; on or about August 9, 2013, through August 10, 2013, Subject Wargo failed to assume the responsibilities of his position when he was absent without leave and failed to make a timely notification to his supervisor. Subject Wargo's conduct was not consistent with the Core values of the Department as he drove a vehicle while intoxicated, creating a hazard to himself and the public. Subject Wargo failed to exercise integrity and notify his supervisors of his absence instead of willfully seeking help from Deputy Ramon Gamez to log him onto the Mobile Digital Terminal, effectively aiding in creating a false official record; and/or potentially jeopardizing the safety and welfare of the public.

Summary

On August 10, 2012 at approximately 0120 hours, California Highway Patrol Officers arrested Subject Wargo for driving a motor vehicle while under the influence of alcohol after he collided into two unoccupied parked vehicles with his personal vehicle. At the time of his arrest, Subject Wargo was scheduled to be on-duty from [redacted] hours, on August 9, 2012, to [redacted] hours, on August 10, 2012, working Unit 121 at Crescenta Valley Station.

Prior to his arrest, Subject Wargo used a cellular telephone and text messaged Deputy Gamez who was on-duty at Crescenta Valley Station. Subject Wargo asked Deputy Gamez to log him onto his assigned vehicle's Mobile Digital Terminal (MDT) because he was going to be late. Deputy Gamez acting upon Subject Wargo's text message request logged Subject Wargo onto his MDT effectively indicating Subject Wargo was present at Crescenta Valley Station and on duty. While logged on duty, Subject Wargo was assigned two calls for service [redacted]. Deputy Gamez was the one other patrol unit assigned on the shift and he handled both of the calls by himself.

Deputy Wargo admitted to driving while under the influence of alcohol and requesting Deputy Gamez to log him onto the Mobile Digital Terminal of his patrol car. He also admitted to having his firearm in the vehicle, but stated he did not know where it was located in the vehicle.

Deputy Wargo pled nolo contendere to 23152 (b) C.V.C., Driving while Under the Influence of Alcohol, .08% blood alcohol concentration or greater. He was convicted in Alhambra Superior Court and placed on probation for three years. He was also ordered to pay fines and restitution, and attend alcohol educational courses.

Discipline Assessment

Review of Applicable "Guidelines for Discipline" Sections

The Department's Guidelines for Discipline lists the following analogous misconduct with the associated disciplinary penalties:

Obedience to Laws, Regulations, and Orders	Written Reprimand to Discharge
General Behavior	Written Reprimand to Discharge
Absence	1 to 3 days
False Information in Records	15 days to Discharge
Professional Conduct	Written Reprimand to Discharge
Safety of Firearms	15 days to Discharge

Assessment of Mitigating and Aggravating Factors

Severity of Infractions

The actions of Subject Wargo in this matter are a serious departure from the established "Core Values" of the Sheriff's Department. Subject Wargo's actions brought discredit upon himself and the Department.

Intent, Truthfulness, and Acceptance of Responsibility

Subject Wargo was truthful and accepted responsibility for his actions. He was cooperative with the arresting officers. Subject Wargo outlined in his interview several steps he has taken to improve his personal life to prevent and ensure against any future alcohol related incidents.

Degree of Culpability

Subject Wargo is responsible for his actions and his conduct. The misconduct was committed solely by Subject Wargo.

Prior Disciplinary History

Subject Wargo has been employed by the Los Angeles County Sheriff's Department since February 4, 1999. He has received the following discipline.



[redacted]

[redacted]

[redacted]

Recommended Discipline
Based upon the foregoing assessment of mitigating and aggravating factors, the following is the recommended penalty, subject to revision upon receiving the Subject's response or grievance:

__x__ Discharge
______ Reduction in Rank
______ Suspension with loss of pay and benefits for __ days
______ Written Reprimand
______ No Discipline recommended

INVESTIGATIVE SUMMARY

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

ADMINISTRATIVE
INVESTIGATIVE SUMMARY

DATE / TIME: August 9, 2012 / 2253 Hours

LOCATION: Crescenta Valley Sheriff Station

IAB #: **IV 2323204**

SUBJECTS: Christopher J. Wargo #[redacted]
Deputy Sheriff
East Los Angeles Station – F.O.R. III

Ramon Gamez #[redacted]
Deputy Sheriff
Crescenta Valley Station – F.O.R.I

WITNESS: Booker T. Hollis #[redacted]
Sergeant
Crescenta Valley Station – F.O.R.I

SYNOPSIS

On August 10, 2012, at approximately 0120 hours, Subject Wargo was arrested by California Highway Patrol (CHP) Officers for driving a motor vehicle while under the influence of an alcoholic beverage after he collided into two unoccupied parked cars with his personal vehicle. At the time of his traffic collision and arrest, Subject Wargo was supposed to be on-duty working patrol at Crescenta Valley Station. Prior to his arrest, Subject Wargo contacted Subject Gamez, who was on-duty at Crescenta Valley Station, and asked him to "log" him onto the Mobile Digital Terminal (MDT) of his assigned unit because he was going to be late. Deputy Gamez "logged" him on as requested, handled calls assigned to Subject Wargo, and updated Wargo's MDT to reflect he responded to the calls for service. The administrative investigation pertaining to Deputy Wargo's arrest is documented under IAB case number IV2318590.

INVESTIGATION

While reviewing the in-services for Crescenta Valley Station, Internal Affairs investigators found Subject Wargo was assigned to work Unit 121 from [redacted] hours to [redacted] hours on August 10, 2012. On that same shift, Subject Gamez was assigned to work Unit 121T1 from [redacted] hours to [redacted] hours. The only other field unit assigned to their reporting districts during that shift was the Field Sergeant (120S, Sergeant Booker Hollis). For more information, see the Crescenta Valley Station Early Morning in-service for August 10, 2012 (**Exhibit A**).

In reviewing the Deputy Daily Worksheets (DDWS) and Unit Details for Sergeant Hollis and Subjects Wargo and Gamez, Internal Affairs investigators found that Subject Gamez was the assisting unit on Subject Wargo's assigned calls. Investigators also found Subject Wargo's DDWS reflected he handled the calls for service he was assigned. Sergeant Hollis was not assigned any calls during the shift. Refer to the Deputy Daily Worksheets and Unit Details for Sergeant Hollis and Subjects Wargo and Gamez for more information **(Exhibit B)**.

Subject Wargo told Internal Affairs investigators he asked Subject Gamez, via text message, to "log" him onto the MDT because he was going to be late for his Early Morning shift at Crescenta Valley Station. He said he texted Subject Gamez from "Rudy's Bar and Grill" in East Los Angeles and he was drunk when he sent the text. He added, when he sent the text, it was still his intention to work his shift. A short time after he left "Rudy's Bar and Grill", he was involved in a traffic collision and arrested by East Los Angeles CHP Officer Camou for driving a motor vehicle while under the influence of an alcoholic beverage. For details regarding Subject Wargo's traffic collision and arrest, refer to the CHP reports **(Exhibit C)**.

> **IAB Note: Subject Wargo was arrested at approximately 0120hrs. At the time of his arrest, he was "logged" on at Crescenta Valley Station.**

Subject Gamez stated he "logged" Subject Wargo onto the MDT at his request. He said he also handled two calls for service that he and Subject Wargo were dispatched and cleared those calls from Subject Wargo's MDT. He also stated after he discovered station personnel were looking for Subject Wargo, he told the Watch Commander, Lieutenant Fitch, that he had logged Subject Wargo onto the MDT earlier in the shift.

Lieutenant Fitch wrote a memo to Captain Silversparre on August 10, 2012, requesting an administrative investigation. In the memo, Lieutenant Fitch stated Sergeant Shoemaker told him, Subject Wargo called Subject Gamez and told him was going to be late for work. Subject Gamez relayed that information to Sergeant Shoemaker. For additional information, refer to Lieutenant Fitch's memo which is attached to the request for IAB Investigation in the Miscellaneous Documents portion of this investigation.

The following narratives are intended only as synopses of the interviews. Additional information and precise wording may be obtained by reviewing the audio recorded interviews and attached verbatim transcriptions.

WITNESS SERGEANT HOLLIS

Sergeant Hollis told Internal Affairs investigators he did not recall Subject Gamez telling him or Sergeant Shoemaker that Subject Wargo was going to be late for his shift. He stated while responding to a vicious animal call that Subjects Wargo and Gamez were dispatched, he saw Subject Gamez leaving the call. He said Subject Gamez told him he was unable to locate the bear, so he (Hollis) made a U-turn and never made it all the way to the call, thus he did not notice Subject Wargo was not at the call. He also said he had no reason to believe Subject Wargo was not in the field because sometime during the shift he queried Subject Wargo's unit status via his MDT and saw that he had been acknowledging and clearing his calls.

IAB Note: Subject Gamez stated he informed Sergeants Hollis and Shoemaker that Subject Wargo was going to be late for his shift.

SUBJECT CHRISTOPHER WARGO

Subject Wargo told Internal Affairs investigators that on the night of the incident, he went to "Rudy's Bar and Grill" for a fundraiser being hosted for an East Los Angeles Station deputy. He said his intention was to stay at the fundraiser for one or two hours, make a donation and go to Crescenta Valley Station for his assigned Early Morning shift. While at the fundraiser, he drank alcoholic drinks that were purchased for him. He said he drank to the point of being intoxicated and "blacked out."

Subject Wargo said he started drinking alcohol at the age of fourteen and considered himself an alcoholic. He explained that he is a "black out" drinker which he described as a form of amnesia that he sometimes experiences when he gets drunk (Refer to pages six and seven of his interview transcripts). He further explained, due to his "black out" state, he did not recall many of the specifics of this incident but he did recall drinking an unknown number of twelve ounce bottles of Bud-Light beer and remembers waking up with the taste of tequila in his mouth however he does not recall leaving the bar or what time he left.

Subject Wargo stated the last thing he remembered from being at the bar was sitting in a booth and asking Subject Gamez, via text message, to "log" him on and notify desk personnel he was going to be late. He said he did not tell Subject Gamez where he was, why he was going to be late or that he had been drinking. He said he texted Subject Gamez his password, radio number and employee number so he could "log" him on.

Subject Wargo added he drove away from the establishment and crashed into two parked cars on Eastern Avenue. He said CHP officers arrived moments later and subsequently arrested him.

Subject Wargo said he knew asking a Department member to "log" him on while he was not at the station was not consistent with the Department training he had received. He also said he now sees that asking Subject Gamez to "log" him on in his absence is categorized as falsifying a Department record.

SUBJECT RAMON GAMEZ

Subject Gamez told Internal Affairs investigators on Thursday night, August 9, 2012, Subject Wargo texted his (Gamez') cell phone and told him he was going to be late for work. Subject Gamez said after briefing, he told Sergeants Hollis and Shoemaker that Subject Wargo was going to be late. A short time later, Subject Wargo texted him his employee number and password and asked him to "log" him onto the MDT. At the time he "logged" Subject Wargo on, he did not know where Wargo was or that he had been drinking. He also did not have approval from a supervisor to "log" on Subject Wargo.

Subject Gamez also stated he was the assisting unit on two calls for service that Subject Wargo was assigned. He said he handled the calls and went back to the station. While at the station, he saw Subject Wargo's patrol car was still in the station parking lot and noticed the light to Wargo's MDT was flashing. He then took it upon himself to clear the calls from Subject Wargo's MDT.

IAB Note: The yellow light flashing on the MDT is indicative of a dispatched call that had not been acknowledged.

After clearing the calls from Subject Wargo's MDT, Subject Gamez tried to contact Wargo by texting and calling his cell phone. When his attempts to contact Subject Wargo were unsuccessful, he became concerned.

Subject Gamez stated he now understands logging a person onto the MDT when they are not present violates the Department policy of falsifying a Department record, but he did not have this understanding at the time he "logged" Wargo on. He did say he understands the reason for having a password that correlates to an employee number is to individualize "logging" onto the MDT, however he still chose to "log" Subject Wargo on.

Subject Gamez said after clearing Subject Wargo's calls, he told the Watch Deputy, Wargo still had not showed up. He then saw Sergeant Shoemaker in the station parking lot and told him Wargo was not there. Sergeant Shoemaker confirmed they were looking for Wargo so Subject Gamez said he went to the Watch Commander's Office and told Lieutenant Fitch he logged Wargo on earlier in the shift.